

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00269-RJC-DCK

USA

v.

BENJAMIN MCMILLER

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ORDER

THIS MATTER is before the Court upon another motion of the defendant pro se for a sentence reduction under 18 U.S.C. § 3582. (Doc. No. 65), and his motion to supplement, (Doc. No. 66).

The Court denied the defendant's previous motion for a sentence reduction under § 3582, (Doc. No. 48), and found that he had not established extraordinary and compelling reasons based on his medical conditions and that he would pose a danger to the community if he were released, (Doc. No. 64: Order at 4-5). The information in the instant motion, attachments, and supplement, (Doc. Nos. 65, 66), is insufficient to overcome the Court's previous determination that the defendant's early release would be inconsistent with the Sentencing Commission's policy statement and inconsistent with the need for the sentence to protect the public from further crimes of the defendant.

IT IS, THEREFORE, ORDERED that the defendant's Motion to Supplement, (Doc. No. 66), is **GRANTED**; however, the defendant's motion for a sentence reduction, (Doc. No. 65), is **DENIED**.

Signed: August 10, 2022



Robert J. Conrad, Jr.

United States District Judge

